

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	RIGOBERTO HERNANDEZ	:	CHAPTER 13
	VILMARY CARABALLO	:	
	Debtor	:	
		:	
	JACK N. ZAHAROPOULOS	:	
	STANDING CHAPTER 13 TRUSTEE	:	
	Movant	:	
		:	
	RIGOBERTO HERNANDEZ	:	CASE NO. 1-24-bk-01107
	VILMARY CARABALLO	:	
	Respondent	:	

TRUSTEE'S OBJECTION TO THIRD AMENDED CHAPTER 13 PLAN

AND NOW, this 19th of December 2024, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced Debtor(s)' Plan for the following reason(s):

1. Debtor(s)' Plan violates 11 U.S.C. §§ 1322(a)(1) and 1325(b) in that the Debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that Debtor(s)' disposable income is greater than that which is committed to the Plan based upon the Means Test calculation and specifically disputes the following amounts:

- a. Charitable contributions (verification) – Line 31.
- b. Telecommunication services – Line 23 should be \$-0-
Debtor has provided no evidence of payments for optional services.
- c. The monthly life insurance expense for the Debtors is \$109.00 per month, not \$165.02 per month.

2. The Trustee avers that Debtor(s)' Plan is not feasible based upon the following:

- a. The Plan is underfunded relative to the required Means Test minimum.

3. Failure to properly state the minimum amount to be paid to unsecured creditors in Section 1.A.4. of the Plan, as required by the Mean Test.

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WHEREFORE, Trustee alleges and avers that Debtor(s) Plan cannot be confirmed, and therefore, Trustee prays that this Honorable Court will:

- a. Deny confirmation of Debtor(s) Plan.
- b. Dismiss or convert Debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Jack N. Zaharopoulos
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: /s/Douglas R. Roeder
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 19th day of December 2024, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

KARA K GENDRON
MOTT & GENDRON LAW
125 STATE STREET
HARRISBURG, PA 17101-

/s/Tammy Life
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee